

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CATHERINE CARLSON,

Plaintiff,

v.

GENEVA CITY SCHOOL DISTRICT, et al.,

Defendants.

ORDER

08-CV-6202CJS

Plaintiff in the above-captioned matter having filed a motion to compel (Docket # 55), and a motion for a protective order (Docket # 59), and this Court having considered the parties' submissions, and oral argument having been conducted on November 3, 2010, it is hereby

ORDERED, for the reasons explained more fully on the record, that plaintiff's motion to compel (**Docket # 55**) is **DENIED as moot**, recognizing counsel for defendants' representation to this Court at oral argument that the individuals noticed by plaintiff to be deposed will appear on the agreed-upon dates set forth in plaintiff's counsel's letter dated October 25, 2010; and it is further

ORDERED, that plaintiff's motion for sanctions (**Docket # 55**) is **GRANTED in part and DENIED in part**, insofar as defendants shall reimburse plaintiff's attorneys' fees and expenses incurred in making this motion and in connection with the deposition noticed for September 14, 2010; and it is further

ORDERED, for the reasons explained more fully on the record, that plaintiff's motion for a protective order (Docket # 59) is **RESERVED**, pending the full briefing and argument on the recently-filed motions by both plaintiff and defendants (Docket ## 74, 78).

IT IS SO ORDERED.



MARIAN W. PAYSON
United States Magistrate Judge

Dated: Rochester, New York
November 3, 2010